IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

FRIDAY, THE 7TH SEPTEMBER, 2007 / 16TH BHADRA, 1929

WP(C).No. 20355 of 2007(W)

PETITIONER:

SREEDHARAN MEKKILERI,
RTD. HEADMASTER OF KCNM ALP SCHOOL,
SANKARAMPADY, KASARGOD DISTRICT, RESIDING AT
'SREE NILAYAM', SANKARAMPADY P.O.,
KASARGOD DISTRICT, PIN-671 541.

BY ADV. SRI.BABU JOSEPH KURUVATHAZHA
SRI.C.P.SIVADASAN NAIR

RESPONDENTS:

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1. STATE OF KERALA, REP. BY ITS
SECRETARY TO GOVERNMENT, DEPT. OF GENERAL
EDUCATION, GOVT. SECRETARIAT, THIRUVANANTHAPURAM.

2. THE DEPUTY DIRECTOR OF EDUCATION,
KASARGOD.

3. THE ASSISTANT EDUCATIONAL OFFICER,
KASARGOD.

4. THE ACCOUNTANT GENERAL OF KERALA,
THIRUVANANTHAPURAM.

BY GOVT. PLEADER SRI.A.J VARGHESE.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 07/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S. SIRI JAGAN, J.

WP(C) NO. 20355 OF 2007 - W

Dated this the 7th day of September, 2007

J U D G M E N T

The petitioner was appointed as Teacher-in-charge of Headmaster in the KCNM ALP School, Sankarampady on 14.3.1983. The petitioner claims that in view of Government Orders in this regard, the petitioner is entitled to be promoted as Headmaster and he is entitled to get the scale of pay of Headmaster. Ext.P7 order was passed on 22.4.2006 directing the petitioner to claim and draw arrears of salary for the period from 14.3.1983 to 28.2.2006, in the scale of pay applicable to the Headmaster. However, the second respondent issued Ext.P8 order directing to recover the salary paid to the petitioner in the scale of pay applicable to the Headmaster. The petitioner filed Ext.P9 representation before the first respondent against Ext.P8 order. The petitioner now seeks a direction to the first respondent to dispose of Ext.P9

representation, expeditiously.

2. Having heard the learned Government Pleader also, I dispose of this writ petition directing the first respondent to consider and pass appropriate orders on Ext.P9 representation in accordance with law, as expeditiously as possible, at any rate within a period of three months from the date of receipt of a copy of this judgment. The petitioner shall also be afforded an opportunity of being heard. Recovery proceedings pursuant to Ext.P8 shall be kept in abeyance till the disposal of Ext.P9 representation.

S. SIRI JAGAN,
Judge

Mbs/

S.SIRI JAGAN, J

W.P.(C) NO. OF 2001

J U D G M E N T

DATED: 07-09-2007